

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CRESENCIANO GONZALEZ,

Plaintiff,

-against-

BBKM ASSOCIATES LLC, doing business
as MIRAGE DINER, and BILL
KONTOLIOS,

Defendants.
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SCHEDULING ORDER
20-CV-0040 (DLI) (TAM)

Telephonic Hearing

Date: November 4, 2021

Time: 10:00 A.M.

Dial-In: (877) 336-1839

Access Code: 3914302

TARYN A. MERKL, United States Magistrate Judge:

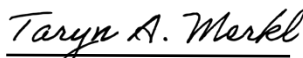
On January 3, 2020, Cresenciano Gonzalez (“Plaintiff”) initiated the instant action against BBKM Associates LLC, doing business as Mirage Diner, and Bill Kontolios (“Defendants”). (See Complaint, ECF No. 1.) Plaintiff alleges, *inter alia*, that Defendants owe him damages for unpaid wages pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“FLSA”), and the New York Labor Law, Art. 6 § 190 *et seq.* and Art. 19 § 650 *et seq.* (“NYLL”).

Defense counsel Michael Drobenare entered an appearance on behalf of Defendants on December 21, 2020. On June 30, 2021, following the reassignment of the case to the undersigned Magistrate Judge, a telephonic Status Conference was scheduled for July 28, 2021. (See June 30, 2021 ECF Scheduling Order.) Unfortunately, Mr. Drobenare wrote to the Court on July 1, 2021, indicating that he would be undergoing medical treatment and requesting to adjourn the conference to late August. (See ECF No. 28.) On July 2, 2021, the Court adjourned the Status Conference to August 26, 2021. (See July 2, 2021 ECF Scheduling Order.) Mr. Drobenare did not appear at the August 26, 2021 Status Conference, and the Court re-scheduled the telephonic Status

Conference to October 7, 2021. (*See* Aug. 26, 2021 ECF Minute Entry.) Concerningly, Mr. Drobenare also failed to appear at the October 7, 2021 conference, and Plaintiff's counsel indicated that he had not heard from defense counsel in several weeks. (*See* Oct. 7, 2021 ECF Minute Entry.)

Given that this is the second conference at which Mr. Drobenare has not appeared, and out of concern for his well-being and the status of this case, the Court respectfully directs both defense counsel and a representative of Defendants to appear at the next telephonic Status Conference scheduled on **November 4, 2021 at 10:00 a.m.** before Magistrate Judge Taryn A. Merkl. The parties are directed to call the toll-free number **(877) 336-1839**. The access code is **3914302**. The parties shall dial in five (5) minutes before the scheduled conference. In addition, as discussed during the October 7, 2021 conference, Plaintiff's counsel is respectfully directed to serve this Order on Defendants as soon as practicable.

Dated: Brooklyn, New York
October 7, 2021


TARYN A. MERKL
United States Magistrate Judge